

32. **ISSUE: HENDERSHOTT LIED TO THE MEDIA REGARDING THE PRESENCE
OF LIVE ORDINANCE AND PLACED PUBLIC IN JEOPARDY DURING THE
SAVILLE ARREST – SUBJECT: HENDERSHOTT**
(Munnell Memo p. 54)

Chief Deputy David Hendershott

H27A. Allegedly, in the 1990s, Chief Deputy David Hendershott lied to the media about whether a hotel had been evacuated when live explosives were brought into the hotel. During the James Saville investigation, Hendershott authorized live explosives to be brought into a hotel and then lied to the media stating that a portion of the hotel was evacuated when the explosives were present. Executive Chief Brian Sands, who was at the scene, denied that any evacuation took place.

MUNNELL'S WRITTEN ACCOUNT

Hendershott lies to the media regarding live ordinance and places public in jeopardy during the Saville arrest.

There is no question that the arrest of James Saville (for attempting to assassinate you by using a bomb) was "high profile." The Saville arrest occurred at a local hotel and the media was present interviewing Chief Hendershott. During the course of the interview, Hendershott was asked about whether bringing live explosives into the hotel created a risk to the public and hotel guests. Chief Hendershott implied that no risk or danger existed because that portion of the hotel had been evacuated. According to Executive Chief Brian Sands who was at the scene, this statement by Hendershott was false and he couldn't believe that he made it. There had been no evacuation regarding any area of the hotel. It should be noted that Hendershott directly supervised the Saville investigation and was therefore responsible for live explosives being brought into a public area.

It should be noted that this conviction was overturned and the Saville investigation that Hendershott personally supervised resulted in the County paying a settlement of 1.1 million dollars.

WITNESSES LISTED BY MUNNELL

Executive Chief Brian Sands	Witness
Deputy Chief Frank Munnell	Advised of matter by Sands.

WITNESS ACCOUNTS

Brian Sands

When asked about this incident, Brian Sands comments were as follows.

A: I remember reading that in the memorandum. Well, I remember the incident. I can't remember any evacuation occurring. As I recall, I got to the hotel after, after the arrest had been made, and I don't ever recall an evacuation of

1 it. But at the same time, I don't know what level of threat was raised by whatever
2 occurred there at the hotel with the, the informant and the SWAT team that was,
3 there was EOD people, they're monitoring the undercover negotiations going on
4 there. I remember Keith Frakes being there. (p. 64, Exhibit II33)
5

6 Sands did not remember what representation had been made to the media about
7 whether the building had been evacuated or not. He did not remember whether an
8 evacuation had indeed occurred, but he did not remember an evacuation.
9

10 **David Hendershott**
11

12 Hendershott indicated that before the operation, he met with the senior bomb technician
13 supervisor and discussed how he thought that the operation could take place where
14 there would be absolutely no danger to the public. The supervisor told Hendershott
15 they were going to set up where the bomb components were going to be allegedly put
16 together and a supervisor could view what was taking place through a hidden camera.
17 The supervisor convinced Hendershott that they could do all of this safely, and they had
18 a team next door to the room where the bomb was supposed to be put together. If the
19 construction of the bomb got to a certain point, the idea was to have the arrest team go
20 in immediately and "take it down before it even got remotely close to being a live
21 ordinance." (p. 65, Exhibit II16e) The supervisor, Keith Frakes, assured Hendershott
22 that the operation would be safe, and indeed it was.
23

24 Hendershott does not recall what he told the media, and indeed whether he told the
25 media that a portion of the hotel had been evacuated when the explosives were
26 present, which is what Frank Munnell has alleged. When asked whether Hendershott
27 had told the media that at least part of the hotel had been evacuated, his response was,
28 "More likely that I told them that the people in the hotel were under no danger at any
29 time." He denied having told the media that part of the hotel had been evacuated.
30

31 Hendershott denied that he authorized personnel to bring in live explosives into the
32 hotel, but does not deny that he authorized personnel working in the operation to bring
33 in components that could be combined to make an explosive.
34